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25 UNITED STATES DISTRICT COURT
26 FOR THE NORTHERN DISTRICT OF CALIFORNIA
27 SAN FRANCISCO DIVISION

28 AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 3:25-cv-03698-SI

**PLAINTIFFS' REPLY IN SUPPORT OF
MOTION TO SHORTEN TIME FOR
DEFENDANTS TO RESPOND TO
REQUEST FOR PRODUCTION**

1 The Government's Opposition (ECF 211) to Plaintiffs' Motion to Shorten Time for
 2 Defendants to Respond to Request for Production (ECF 178) rests almost entirely on its argument
 3 that the Government should be entirely relieved from any discovery obligations in this case. This
 4 argument fails, for the reasons set forth in Plaintiffs' Opposition to Defendants' Motion for
 5 Protective Order, including that the Government's argument is premised on misconstructions of
 6 Plaintiffs' claims and the U.S. Supreme Court's July 9, 2025 stay order that this Court has already
 7 rejected (ECF 214), and that the documents sought in these Requests would also be part of the
 8 administrative record that is imminently due to be produced.

9 The Government's own actions squarely contradict its cursory statement that "there is no
 10 urgency associated with Plaintiffs' request." ECF 211 at 1. The Government's representations to
 11 the Ninth Circuit and Supreme Court demonstrate that it intends to implement ARRs imminently
 12 through RIFs and reorganization actions. Stay Application 32, *Trump v. AFGE*, No. 24A1174
 13 (U.S. June 2, 2025) (stating that the Court's preliminary injunction halting implementation of the
 14 ARRs had "concretely" imposed "immediate consequences" on the Government because "40
 15 RIFs in 17 agencies" "affecting thousands of federal employees" had been "in progress"); Opening
 16 Brief, *AFGE v. Trump* (9th Cir. No. 25-3293), Dkt. 12.1 (filed June 20, 2025) ("[m]ultiple RIFs
 17 were set to be noticed within the month following entry of the injunction, and dozens were set to
 18 occur during that period," and the "[t]he injunction halts those processes in their tracks"). Indeed,
 19 following the Supreme Court's stay decision, more than 1,300 State Department employees
 20 received RIF notices and were immediately placed on administrative leave on Friday, July 12,
 21 directly harming federal employees, Plaintiff unions, and threatening the agency's ability to
 22 respond to foreign threats.¹ The Department of Health and Human Services similarly executed
 23 RIFs of thousands of employees,² and the Environmental Protection Agency has announced it will

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 25 ¹ See, e.g., Hannah Natanson et al., *State Department Cuts China Policy Staff Amid Major*
 26 *Overhaul*, Wash. Post (July 14, 2025), [https://www.washingtonpost.com/national-security/](https://www.washingtonpost.com/national-security/2025/07/14/state-department-rubio-firings-china/)
 27 [2025/07/14/state-department-rubio-firings-china/](https://www.washingtonpost.com/national-security/2025/07/14/state-department-rubio-firings-china/); Michael Crowley et al., *State Dept. Layoffs Hit*
Russia and Ukraine Analysts, N.Y. Times (July 15, 2025), [https://www.nytimes.com/2025/07/15/](https://www.nytimes.com/2025/07/15/us/politics/state-department-layoffs-russia-ukraine.html)
[us/politics/state-department-layoffs-russia-ukraine.html](https://www.nytimes.com/2025/07/15/us/politics/state-department-layoffs-russia-ukraine.html).

28 ² See, e.g., Christina Jewett & Benjamin Mueller, *H.H.S. Finalizes Thousands of Layoffs After*

1 eliminate the entire Office of Research and Development.³

2 Given the immediate need for essential evidence regarding the legality of decision-making
3 and implementation of the ARRPs at issue in this case, and for the reasons set forth in Plaintiffs’
4 opposition to the motion for a protective order and to quash, the Court should grant Plaintiffs’
5 motion for an order shortening Defendants’ time to respond to a single targeted discovery request
6 for communications between Federal Agency Defendants and Defendants Office of Management
7 and Budget, Office of Personnel Management, or Department of Government Efficiency⁴ regarding
8 Agency RIF and Reorganization Plans (“ARRPs”).

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22 *Supreme Court Decision*, N.Y. Times (Jul. 15, 2025),
<https://www.nytimes.com/2025/07/15/us/politics/hhs-layoffs.html>

23 ³ See, e.g., Lisa Friedman & Maxine Joselow, *E.P.A. Says It Will Eliminate Its Scientific Research*
24 *Arm*, N.Y. Times (July 18, 2025), [https://www.nytimes.com/2025/07/18/climate/epa-firings-](https://www.nytimes.com/2025/07/18/climate/epa-firings-scientific-research.html)
25 [scientific-research.html](https://www.nytimes.com/2025/07/18/climate/epa-firings-scientific-research.html); ECF 37-19 ¶¶17-18 (describing harms of cuts to ORD); ECF 101-8 ¶¶18-
26 27 (same).

27 ⁴ As clarified in Plaintiffs’ opposition to the motion for a protective order and to quash based on
28 Defendants’ representations about the status of Agency DOGE Teams, this Request does not
encompass communications within agencies (i.e., between members of DOGE who are embedded at
Federal Agency Defendants and other employees of the same agency). The Government’s assertion
that it would be impossible to produce these intra-agency communications by July 28 is thus
inapplicable. ECF 211 at 1–2.

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Respectfully submitted,

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